

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ADOBE SYSTEMS INCORPORATED,

Plaintiff,

v.

APPLIAN TECHNOLOGIES, INC.

Defendant.

CASE NO. CV-09-0228 WHA

~~[PROPOSED]~~ ORDER OF DISMISSAL

[Fed. R. Civ. P. 41(a)]

1 **IT IS HEREBY ORDERED**, as stipulated by Plaintiff Adobe Systems
2 Incorporated and Defendant Applian Technologies, Inc., through their respective counsel of
3 record, that all remaining claims in the above-entitled action are DISMISSED with prejudice
4 pursuant to Federal Rule of Civil Procedure 41(a) and subject to the Order Granting Permanent
5 Injunction. The Court shall retain continuing jurisdiction to enforce the Permanent Injunction.

6 **IT IS FURTHER ORDERED** that each party shall bear its own costs.

7
8 DATED: February 17, 2009

